

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re: Dejuan Kelker

Debtor.

) Case Number: 24-15151  
) Chapter 13 Proceedings  
) Judge Suzana Krstevski Koch

**TRUSTEE'S MOTION TO DISMISS CASE**

Now comes LAUREN A. HELBLING, the duly appointed and qualified Standing Chapter 13 Trustee ("Trustee") herein, and hereby moves this Honorable Court to dismiss the case of the Debtor ("Debtor") pursuant to Sections 1307 and 1326 of the Bankruptcy Code. In support of this motion, the Trustee makes the following representations to the Court:

1. Pursuant to Section 1326(a)(1) of the Bankruptcy Code, unless ordered otherwise, the debtor shall commence making payments not later than 30 days after the date of the filing of the plan or the order for relief, whichever is earlier.
2. More than 30 days have passed since the order for relief and the Trustee has not received any payments.
3. Section 1307(c)(4) of the Bankruptcy Code states that failure to commence making timely payments under Section 1326 is cause for dismissal of debtor's case. Section 1307(c)(1) of the Bankruptcy Code states that unreasonable delay by the debtor that is prejudicial to creditors is grounds for dismissal. The Trustee believes that the failure of the Debtor(s) to commence making payments as required by the Bankruptcy Code constitutes unreasonable delay prejudicial to creditors and is cause for the dismissal of this case.

WHEREFORE, your Trustee, being a proper party in interest, moves this Honorable Court to grant this motion and dismiss the case of the debtor for the reasons cited.

/S/ Lauren A. Helbling

LAUREN A. HELBLING (#0038934)

Chapter 13 Trustee

200 Public Square, Suite 3860

Cleveland OH 44114-2321

Phone (216) 621-4268 Fax (216) 621-4806

[ch13trustee@ch13cleve.com](mailto:ch13trustee@ch13cleve.com)

## CERTIFICATE OF SERVICE

I certify that on March 7, 2025 a true and correct copy of this Trustee's Motion to Dismiss Case was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Charles Tyler, Attorney on behalf of Dejuan Kelker, Debtor at [charles.tyler@tylerlawoffice.com](mailto:charles.tyler@tylerlawoffice.com)

And by regular U.S. mail, postage prepaid, on:

Dejuan Kelker, Debtor at 9613 Lakeshore Blvd., Cleveland, OH 44108

/S/ Lauren A. Helbling

LAUREN A. HELBLING (#0038934)

Chapter 13 Trustee

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